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PATENT
Attorney Docket No.: SCI-00100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 3739
James L. Hobart *et al.*)
Serial No.: 09/018,104)
Filed: February 3, 1998)
For: **DUAL MODE LASER DELIVERY**) **NOTICE OF APPEAL**
SYSTEM PROVIDING)
CONTROLLABLE DEPTH OF)
TISSUE ABLATION AND) 162 N. Wolfe Road
CORRESPONDING) Sunnyvale, CA 94086
CONTROLLABLE DEPTH OF) (408) 530-9700
COAGULATION)
Customer No. 28960

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 7, 2005 of the Examiner finally rejecting Claims 1-14, 17-24 and 41-51.

Enclosed is a check in the amount of \$310.00 for payment of the fee by a small entity for filing a notice of appeal, per 37 C.F.R. § 1.17(b) and filing a request for extension of time within the first month.

06/10/2005 TBESHAH1 00000034 09018104

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250.00 OP

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: August 5, 2005

By: Jonathan O. Owens

Jonathan O. Owens
Reg. No.: 37,902

Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR § 1.8(a))
I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

Date: 8/5/05 By: HAVERSTOCK & OWENS LLP.